

Notice of Allowability

Application No.

09/147,094

Applicant(s)

YAMASHITA ET AL.

Examiner

Sajous Wesner

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment dated 11/23/05.
2. ☒ The allowed claim(s) is/are 1,3,5,7-9,11 and 13.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 8/20/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Remarks

This communication is responsive to the amendments filed on 11/23/2005.

Claims 1, 3, 5, 7-9, 11, and 13 are presented for examination.

Allowable Subject Matter

1. Claims 1, 3, 5, 7-9, 11, and 13, after further consideration and search, are allowed over the prior art.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

The best prior art of record, the Lett et al. (US 5592551) reference, teaches displaying of program guides on a display unit in matrix form using channel axis and time axis and provides the user the ability to purchase pay-per-view programmings (see fig. 5). Lett distinguishes a PPV program from other subscribed and non-subscribed programmings and the start time of the PPV program. However, Lett fails to **distinguish between time periods which include one of a purchased programs time periods which do not include any of the purchased one of the purchasable programs**. Specifically, Lett and the other prior art of record with effective filing date prior to 4/30/1996 fail to teach the means for determining whether any of a plurality of time periods includes a purchased one of a plurality of purchasable programs; and means for distinguishing on the display unit between the time periods which include a purchased one of the plurality

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of purchasable programs and the time periods which do not include any purchased one of the plurality of purchasable programs (as recited in claim 1), wherein the means for distinguishing comprises at least one first color associated with the time periods which include a purchased one of the plurality of purchasable programs and at least one second color which is different than the at least one first color and is associated with the **period of times** which do not include any purchased one of the plurality of purchasable programs (as in re claim 3); the distinguishing means further comprises a means for displaying a bar proximate to the time periods which a purchased one of the plurality of purchasable programs (as recited in claim 5); and means for distinguishing on the display unit between at least one **time periods** selected by a user and time periods not selected by the user, wherein the means for distinguishing comprises at least one first color associated with the at least one time periods selected by the user, and at least one second color which is different than the at least one first color and is associated with time periods not selected by the user (as recited claims 7 and 13). For the aforementioned reason, the limitations of claims 1, 3, 5, 7-9, 11, and 13 are allowed over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajous Wesner whose telephone number is 571-272-7791. The examiner can normally be reached on Mondays thru Fridays between 10:30 and 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wesner Sajous

1/10/06

Matthew C. Bella

MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600